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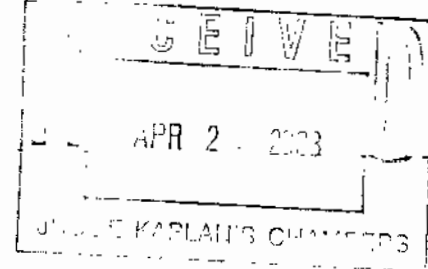
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**LAW FIRM OF LOUIS GINSBERG, P.C.**

April 17, 2008

**VIA REGULAR MAIL**

Honorable Lewis A. Kaplan  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007



**Re: Joseph Di Giovanna v. Beth Israel Medical Center and Continuum Health Partners, Inc.; Index No.: 07-116437**

*08 CIV 2750 (LAK)*

Dear Judge Kaplan:

We represent the Plaintiff, Joseph Di Giovanna in the above referenced matter. Defendant filed a motion to dismiss arguing that the Plaintiff was not formerly an employee of the Defendant Continuum Health Partners, Inc..

We respectfully request that the motion be adjourned until the Court decides Plaintiff's motion to remand to state court. This is because this Court will not need to reach Defendant's motion to dismiss in the event it decides to remand to state court.

Respectfully submitted,

Louis Ginsberg, Esq.  
For The Law Firm of  
Louis Ginsberg, P.C.

cc: Rory McAvoy, Esq.  
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*Denied. The motion to dismiss was denied almost a month ago.*

LEWIS A. KAPLAN, USDO